

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**In re: WHIRLPOOL CORP. FRONT-
LOADING WASHER PRODUCTS
LIABILITY LITIGATION**

Gina Glazer v. Whirlpool Corporation

1:08-wp-65001

1:08-wp-65000

MDL No. 2001

Class Action

Judge: James S. Gwin

**WHIRLPOOL CORPORATION'S NOTICE OF ERRATA AND MOTION TO
SUBSTITUTE CORRECTED BRIEF**

Whirlpool Corporation ("Whirlpool") respectfully requests that the Court permit Whirlpool to substitute a corrected version of Whirlpool Corporation's Opposition to Plaintiffs' Motion to Certify an Ohio Class ("Whirlpool's Opposition") that complies with the 30-page limitation established by the Court's October 21, 2009, Scheduling Order. In support of this motion, Whirlpool states as follows:

1. The final Word version of Whirlpool's Opposition that was prepared for filing on March 15, 2010, complied with the 30-page limitation. However, in order to file the document electronically using the Case Management/Electronic Case Files system, it was necessary first to convert the Word document to Adobe Acrobat PDF format. (*See* Electronic Filing Policies and Procedures Manual, ¶ 10.) Unknown to Whirlpool's defense team, the conversion of the document from Word to a PDF file, caused the "Conclusion" heading and the one-line sentence that followed that heading to move to a 31st page.

2. Also, in the hours immediately preceding the filing deadline, the Word version of Whirlpool's Opposition repeatedly became electronically corrupted, and could not be edited, printed, or otherwise finalized until the computer problem was resolved. That delay forced Whirlpool's defense team to file Whirlpool's Opposition much closer to the filing deadline than it otherwise would have. Because the filing deadline was nearly expired, there was no time to proofread the converted document, and the PDF version of Whirlpool's Opposition was filed without anyone's realizing that it exceeded the 30-page limitation by a heading and one line.

3. Attached hereto as Exhibit 1 is the exact same version of the brief that was prepared for filing last night, with no edits or revisions, other than to correct the formatting change that occurred during last night's conversion to PDF format. Also added, pursuant to Local Rule 7.1(f), is a certificate of compliance with the page limit established in the Court's October 21, 2009, Scheduling Order. The certification was inadvertently omitted from the original version of Whirlpool's Opposition.

For these reasons, Whirlpool respectfully requests that the Court allow Whirlpool to substitute the attached corrected version of Whirlpool Corporation's Opposition to Plaintiffs' Motion to Certify an Ohio Class.

Dated: March 16, 2010

Respectfully submitted,

s/ Michael T. Williams

Michael T. Williams
Malcolm E. Wheeler
Galen D. Bellamy
Allison R. Cohn
Evan B. Stephenson
Joel S. Neckers
Theresa R. Wardon
Wheeler Trigg O'Donnell LLP
1801 California Street, Suite 3600
Denver, Colorado 80202
Telephone: (303) 244-1800
Facsimile: (303) 244-1879
E-mail: williams@wtotrial.com

and

F. Daniel Balmert (0013809)
Anthony J. O'Malley (0017506)
Vorys, Sater, Seymour and Pease LLP
2100 One Cleveland Center
1375 East Ninth Street
Cleveland, Ohio 44114-1724
Telephone: (216) 479-6159
Facsimile: (216) 937-3735
E-mail: ajomalley@vorys.com

Attorneys for Defendant Whirlpool Corporation

CERTIFICATE OF SERVICE

I do hereby certify that, on this 16th day of March, 2010, a copy of the foregoing document entitled Whirlpool Corporation's Notice of Errata and Motion to Substitute Corrected Brief was filed electronically. Notice of this filing will be sent to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

s/ Michael T. Williams

Michael T. Williams